



2000 Major Public Acts

Prepared for Members of the Connecticut General Assembly
by the Office of Legislative Research

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NOTICE TO READERS

These summaries are intended to be brief descriptions of the most significant, far-reaching, and publicly debated acts adopted by the General Assembly in 2000. Not all provisions of the acts are included, and the governor has not signed all these listed. The Office of Fiscal Analysis prepared the summaries of the budgets revisions and bond act. Greater detail on budget-related acts can be found in OFA's "Highlights of the Revised FY 01 Budget." The Major Public Acts are posted on the intranet at <http://cgalites/olr/> and on the internet at <http://www.cga.state.ct.us/olr/>. Highlights of the Fiscal Year 2000-01 Budget are posted on the intranet at <http://cgalites/ofa/>.

The Office of Legislative Research also produces a number of specific reports highlighting legislation in various subject areas, including acts affecting children, senior citizens, the environment, and business. Our 2000 Public Act book, which contains detailed summaries of all public acts, will be available in early fall.

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APPROPRIATIONS COMMITTEE

Budget Revisions



This act increases the original FY 2000-01 appropriation of \$12,156.7 million for state agencies and accounts by a net \$148.3 million to \$12,305 million. These appropriations are supported by a \$139 million net increase in revenues from \$12,200.3 million to \$12,339.3 million, which exceeds the appropriated level by \$34.3 million.

The act also provides \$68.2 million in FY 1999-00 deficiency appropriations for various agencies and accounts and provides for the carry-forward (non-lapse) of funds in specific agencies and accounts from FY 00 to FY 01. It uses \$233.2 million from the FY 00 surplus (General Fund and Transportation Fund) for a variety of purposes.

Carryforwards. An estimated \$62.4 million in the General Fund, \$3.9 million in the Transportation Fund, and \$.4 million in the Insurance Fund are carried forward into FY 01 as a result of the act. OFA's April 4, 2000 General Fund surplus projection of \$264.7 million is reduced by the \$12.9 million in additional carryforwards this act provides.

Surplus Use. The act uses \$233.2 million from the FY 00 surplus for the following purposes (figures in millions):

\$43.6	School Construction
35.0	Rail Cars
34.0	1-Time Revenue Sharing
20.0	UConn Health Center
12.0	CT Ed. Tech. Initiatives
10.0	School Wiring
10.0	Open Space Trust
9.0	Arts Grants
7.5	Core Financial Systems
6.0	DoIT-New Facility Move

5.7	ECS Hartford Supp. Aid
5.5	Operation Sail 2000
5.0	Magnet Schools
29.9	All Other Items
\$233.2	TOTAL

Major Budget Revisions. The act increases the original FY 2001 appropriation by a net \$148.3 million.

The major budgetary changes from the original FY 00 appropriation are (figures in millions):

ITEM	FY 01
Appropriate Workforce Investment ACT (WIA) Funds	\$ 23.7
Medicaid Re-estimate	93.8
Other Major DSS Re-est.	(23.6)
Annualize Out-of-State Prison Beds	11.9
Pharmacy Restructuring	(18.6)
Information Technology (IT) Savings Loss	50.0
TOTAL	\$137.2

Municipal Aid. Grants to towns increase by \$67 million to \$2,128.3 million in FY 01 from estimated expenditures of \$2,061.3 million in FY 00 and decrease by \$10.5 million from the original \$2,138.8 appropriation. The revised budget also provides \$46.7 million in additional assistance to towns from FY 00 surplus.

(Please refer to OFA's Highlights of the Revised FY 01 Budget for additional information on these and other major budget changes.)

Other Related Budget Topics

Budget Growth Rate. The budget growth rate of the FY 01 budget over estimated FY 00 expenditures, based on OFA adjustments for all appropriated funds, is currently projected at 5%.

Spending Cap. The FY 00 budget was \$68.6 million under the spending cap. The

\$68.2 million in FY 00 deficiency appropriations this act makes reduces the level that the budget is under the cap to \$.4 million. Since this act also appropriated \$233.2 million from the surplus for various items, the governor issued a declaration allowing the spending cap to be exceeded by \$232.8 million in FY 00. In his declaration, the governor exercised his statutory option not to include these surplus appropriations within the FY 00 base upon which the spending cap for FY 01 would be calculated.

The calculation of the spending cap (based on interpretation of the statutory spending cap) shows the budget provided by this act to be under the cap by \$50.9 million in FY 01.

Budget Reserve (Rainy Day) Fund.

OFA’s projected surplus of \$264.7 million (as of 4/3/00), adjusted for re-estimates, additional carryforwards, and other uses of projected surplus, results in increasing the amount in the Budget Reserve Fund (BRF) by \$34.9 million to \$564 million. This keeps the BRF at the statutory limit of 5.0% of the net General Fund appropriations for FY 01. Although all of the \$264.7 million projected surplus has been appropriated or reduced due to additional carryforwards, if any additional surplus occurs, the first \$10 million would be used for school wiring with the rest used for school construction. The act supersedes statutory provisions that require any unappropriated surplus to be used for debt retirement.

(sHB 5216, surplus use sections and other transfers are effective upon passage and budget revision sections are effective July 1, 2000)

Elected State Officials’ And Judges’ Compensation

This act increases the salaries of the state’s (1) statewide elected officials, (2)

legislators, (3) judges, and (4) family support magistrates. The increases for the statewide elected officials are as follows:

Office	Current Salary	New Salary
Governor	\$ 78,000	\$150,000
Lieutenant Governor	71,500	110,000
Treasurer	70,000	110,000
Secretary of the State	65,000	110,000
Comptroller	65,000	110,000
Attorney General	75,000	110,000

The act increases the salaries of members of the General Assembly as follows:

Position	Current Salary	New Salary
House speaker and Senate president pro tempore	\$30,108	\$38,689
House and Senate majority and minority leaders	28,665	36,835
Deputy House speaker and House and Senate deputy majority and minority leaders	26,806	34,446
House and Senate assistant majority and minority leaders and majority and minority whips, and standing committee chairs	25,090	32,241
Standing committee ranking members	23,660	30,403
Rank and file members	21,788	28,000

By law, the salaries of judges and family support magistrates are scheduled to increase on April 1, 2001. The act increases salaries on April 1, 2002. The following chart displays the changes.

Position	Salary As Of 4/1/01	New Salary
Chief Justice of the Supreme Court	\$140,582	\$149,582
Chief Court Administrator	134,738	143,738
Supreme Court Associate Justice	129,404	138,404
Appellate Court Chief Justice	127,873	136,873
Appellate Court Judge	120,988	129,988
Deputy Chief Court Administrator	118,617	127,617
Superior Court Judge	116,000	125,000
Chief Family Support Magistrate	103,600	108,821
Family Support Magistrate	98,600	103,569

(sHB 5907, effective January 3, 2001, except the raises for constitutional officials take effect January 8, 2003)

Tobacco Settlement Money

This act revises how tobacco settlement funds are distributed. Beginning July 1, 2001 it decreases from \$20 to \$12 million the annual amount paid into the Tobacco and Health Trust Fund. It creates a trust fund for biomedical research, which annually receives \$4 million of settlement funds. As under current law, the remaining settlement funds are paid to the

General Fund or to other uses the legislature designates.

The act establishes a 17-member board of trustees that is responsible for disbursing funds. The board may disburse up to 50% of the fund’s net earnings until June 30, 2005, after which it may disburse all net earnings. It must give priority to programs that address tobacco and substance abuse and serve pregnant women, minors, and parents of young children.

The act specifies that the purposes of the Tobacco and Health Trust Fund is to support programs that (1) reduce smoking and substance abuse and (2) meet unmet physical and mental health needs in the state.

The act also requires the Public Health and Mental Health and Addiction Services departments to develop a plan to reduce tobacco use and substance abuse and to meet unmet mental and physical health needs in the state. They must submit the plan to the Public Health and Appropriations committees by April 1, 2001.

(sHB 5911, effective July 1, 2000)

BANKS COMMITTEE

Credit Union Powers



This act lets Connecticut-chartered credit unions perform the same activities as federal credit unions (except selling title insurance), if they give prior written notice to the state banking commissioner. The notice must describe the activity and its financial impact on the credit union, cite federal legal authority for it, describe any federal restrictions, and include other information the commissioner requires.

If the commissioner does not disapprove within 30 days after the notice is filed, the credit union can begin the activity. The commissioner can adopt regulations to ensure that credit unions

conduct these activities in a safe and sound manner, with adequate consumer protections.

(PA 00-38, effective October 1, 2000)

Licensed Public Accountants' Fees

This act lets licensed public accountants (1) accept fees or commissions for referring clients to financial products or services under certain conditions and (2) perform services for clients based on contingent fees. But they still cannot accept these fees while they are performing specified services for their clients or in certain other situations.

Accountants will have to disclose the referral fees or commissions to their clients and the method for determining contingent fees. Before making referrals, accountants will also have to obtain other professional licenses, such as insurance agent or securities broker licenses, if required under federal or state law.

(PA 00-42, effective October 1, 2000)

CHILDREN'S COMMITTEE

Safe Havens for Unwanted Newborns



This act exempts a parent of a newborn from criminal liability for abandonment or risk of injury to a minor if he voluntarily leaves a baby with designated hospital staff. A parent can leave a baby anonymously, but the act permits giving him a numbered bracelet that can serve as identification if, in the future, he wishes to be reunified with the child. The Department of Children and Families assumes custody of a baby left under these circumstances. A court must approve a parent's attempt to reunify.

(sHB 5023, effective October 1, 2000)

Youth In Crisis

This act permits the Juvenile Court to assume jurisdiction over 16- and 17-year olds who are beyond their parents' control, run away from home, or fail to go to school. It terms such youths "youth in crisis." It allows (1) a variety of people to refer these youths to the court, (2) the court to order a variety of services for the youth and his family, and (3) the court to impose sanctions to enforce those orders. It specifies that a youth who violates a court order is not delinquent and cannot be incarcerated in a state detention or correctional facility.

The act authorizes police officers to look for runaway 16- and 17-year olds. If they find them, it allows the police to report their location to the parents, refer them to Juvenile Court, or take them to an agency that serves children. Current law requires police to look for children under age 16.

(sHB 5028, effective July 1, 2000)

COMMERCE COMMITTEE

High Technology Infrastructure

This act creates a high-technology infrastructure fund within the Connecticut Development Authority (CDA) to provide financial assistance for information technology projects and requires that principal, interest, or other return on investment payments to CDA be deposited in the new fund.

It authorizes CDA to provide financial assistance in the form of grants, loans, extensions of credit, guarantees, equity investments, and other forms of financing. The act exempts the assistance from the prohibition against state agencies providing more than \$10 million in assistance for a business project during any two-year period without specific authorization from the General Assembly, and imposes new assistance limits.

The act (1) expressly allows CDA to provide assistance to information technology projects under all other CDA programs; (2) authorizes CDA to provide tenant lease guarantees and performance guarantees for any eligible project, and (3) permits Connecticut Innovations, Inc. (CII) to provide financial assistance to “smart buildings,” incubator facilities, or other information technology intensive office and laboratory space. **(PA 00-178, effective July 1, 2000)**

EDUCATION COMMITTEE

Mandatory School Attendance Age



Starting July 1, 2001, this act requires students to stay in school until age 18, instead of age 16, unless their parents consent to their leaving school before they turn 18 or graduate. The parent must appear at the school district office to sign a form withdrawing the student from school, at which time the school district must provide the parent with information about educational options available in the school system and in the community.

The act extends local school districts’ existing responsibility for ensuring that all school age children who live in the district attend school to cover 16- and 17-year-olds who do not have permission to drop out. It does not change the requirement for local districts to offer alternative educational opportunities to expelled students only if they are under age 16.

(sHB 5276, effective July 1, 2000)

Education And Technology Programs

The act establishes a statewide educational technology program and provides \$10 million for grants to school districts for improving the use of information technology in schools; a Connecticut Education Network linking

schools, colleges, libraries, and certain other institutions; and a Connecticut digital library. It also establishes a grant program for schools the education commissioner lists as needing improvement, except for Hartford schools (only for FY 2000-01). Districts must use 10% of their grants for library partnership programs.

It allows former priority school districts to continue receiving school readiness grants after they no longer qualify as priority school districts and, starting in FY 2001-02, extends eligibility to transitional school districts that are not former priority districts.

The act provides grants and other incentives to address the teacher shortage in certain subjects and in certain districts, including a Connecticut Housing Finance Authority mortgage assistance program for certified teachers employed by priority or transitional school districts or teaching in a subject shortage area.

It provides incentives to encourage students to enter high-tech fields, including pilot scholarship and loan reimbursement programs for students interested in high-tech fields. It also requires the State Board of Education to adopt computer technology competency standards for K-12 students.

Finally, the act allows Connecticut Innovations, Inc. to establish financial and other types of programs to attract and retain residents with post-secondary education in science, engineering, mathematics, and other disciplines integral to developing and applying technology.

(sHB 5737, most provisions are effective July 1, 2000)

ENVIRONMENT COMMITTEE

Open Burning

Open Space Trust Fund



This act establishes the Charter Oak Open Space Trust Account to fund two new open space purchase programs. The two programs provide for (1) state acquisitions of open space and watershed protection lands and (2) a matching grant program for municipal and nonprofit land conservation organizations land acquisitions. The act requires the lands to meet the criteria and use limits of the existing protected open space and watershed land acquisition program and to be preserved permanently by a conservation easement. The Department of Environmental Protection commissioner may authorize expenditures from the accounts for the programs.

The programs expire when the state meets its total open space goal (currently 21% of the state's total land area). At that time, any balance remaining in the two accounts reverts to the Recreation and Natural Heritage Trust program.

The act requires the Department of Public Health commissioner to require permanent conservation easements on the sale of certain water company lands.

The act requires the Department of Agriculture to prepare a list of properties for which it has a purchase price agreement for the property's development rights and requires the State Bond Commission to consider the list when issuing bonds for the agricultural lands preservation program. It also requires the bond commission to issue bonds for that program to the extent they are authorized but not allocated as of July 1, 2000.

(sHB 5883, effective July 1, 2000)

This act eliminates the requirement that all burning permits be issued by the local fire marshal. Instead, residents or their agents can obtain permits for burning brush on their residential property from a local open burning official and towns can obtain permits to burn at their landfills, transfer stations, or recycling centers from the local fire marshal. The act eliminates the requirement that the Department of Environmental Protection (DEP) set application and inspection fees for municipal burns and instead authorizes DEP to adopt such fees by regulation.

The act also allows local open burning officials to issue burn permits for the following types of burns: (1) fire training, (2) insect control, (3) natural disaster clean-up, (4) wildlife habitat and vegetation management, and (5) ecological sustainability. It allows such burns on state property with DEP's written approval. It eliminates the requirement that DEP issue written approval for fires used to control forest fires or to reduce the risk of uncontrolled salt marsh fires.

It establishes a process for nominating and certifying local open burning officials and authorizes DEP to adopt regulations establishing a certification process for local open burning officials and governing open burning generally.

The act specifically allows for campfires and bonfires to the extent they do not represent a nuisance and do not conflict with any other burning restrictions.

(PA 00-1, effective upon passage)

MTBE Use

This act requires the Department of Environmental Protection (DEP), in conjunction with the Northeast Regional Fuels Task Force, to develop and

implement a plan to eliminate methyl tertiary butyl ether (MTBE) as a gasoline additive by October 1, 2003. It also requires DEP to seek a federal Environmental Protection Agency waiver to stop the use of MTBE as a gasoline additive in Connecticut. DEP must report to the Environment Committee on the plan and regional efforts to reduce MTBE levels in gasoline by January 1, 2001 and annually thereafter through 2003.

The act requires DEP to direct certain petroleum industry groups to develop a public education campaign regarding the proper handling of gasoline.

It establishes a penalty for anyone, including a responsible corporate official, who discharges gasoline willfully or with criminal negligence. The penalty for first-time offenders is a fine up to \$50,000 per day and imprisonment for up to three years. For subsequent offences, the penalty is a fine up to \$100,000 per day and imprisonment for up to 10 years.

The act increases, from \$1,000 to \$5,000, the fine for failing to report the discharge, spillage, uncontrolled loss, seepage, or filtration of gasoline. It increases the fine for the employer of someone who fails to report from \$5,000 to \$10,000.

(sSB 571, effective July 1, 2000)

FINANCE, REVENUE AND BONDING COMMITTEE

Adriaen's Landing And Stadium Projects



This act makes numerous changes in the funding, development, control of, and requirements for, the Adriaen's Landing Project in downtown Hartford and the UConn football stadium. Most of the changes reflect (1) a shift in control over the project's development to the Office of

Policy and Management (OPM), (2) a transfer of the stadium from Hartford to East Hartford and (3) the inclusion of hotel, retail, entertainment, and housing components in the project's scope in addition to the convention center and its related parking facilities, which were covered by the 1999 law (PA 99-241).

These changes result in revisions to bond authorizations and their uses, the powers and responsibilities of the OPM secretary and the Capital City Economic Development Authority (CCEDA), and the scope of exemptions from various state laws and taxes.

Under the act, the state will own the Adriaen's Landing and stadium sites; CCEDA will own the convention center; and private entities will own the convention center hotel and entertainment, retail, housing, and office facilities.

The bill:

1. requires (a) the governor to certify to the treasurer and Bond Commission before bond funds are issued that the state has received at least \$210 million in legally enforceable private financial commitments and (b) the legislature to approve any changes in the master development plan that materially change the project's components;
2. shifts control over \$187 million in bonds for the convention center from the Department of Economic and Community Development to OPM and shifts \$24.25 million in bonds authorized for the former sportsplex for use for other activities at Adriaen's Landing;
3. expands the purposes for which bond funds can be used to include site preparation, infrastructure improvements, and relocation costs; construction management and development services fees; incentive payments for on-time and below-

- budget project completion; and establishment of reserve funds related to project financing;
4. establishes a range of fiscal controls on the project, including the appointment of an independent auditor, provision for a mechanism to oversee the project manager, and the designation of a senior OPM staff person as a project comptroller who will oversee public funds spent on the project;
 5. relocates the UConn football stadium to East Hartford, gives the OPM secretary control over its name and authorizes naming it Rentschler Field for 15 years in return for a \$2 million donation from United Technologies Corporation (UTC) that will be used for road improvements, and permits the sale of the name after 15 years with UTC's approval;
 6. authorizes the secretary to acquire (a) the UConn stadium facility site, (b) land for all of the Adriaen's Landing components, and (c) other property he deems necessary for off-site infrastructure improvements at either location rather than, as under current law, just the sportsplex and its parking facility, and adapts the reconfigured project to his existing powers to take and acquire land;
 7. requires the secretary and CCEDA to (a) make sure contractors on Adriaen's Landing and stadium projects pay prevailing wage or enter a project labor agreement, follow state set-aside laws, and hire qualified members of minority groups and Hartford and East Hartford residents for construction and operating positions and (b) appoint independent compliance monitors to make sure these requirements are followed, and makes CCEDA's contract with a private convention center manager a state contract requiring the payment of standard wage rates;
 8. allows CCEDA to control parking facilities at Adriaen's Landing, set rates and rules for them, lease and sublease the air rights over and under them and the convention center, and use revenues from them, after paying operating and debt service costs, to cover operating losses or capitalize reserve funds;
 9. exempts the project from additional state laws and broadens the existing exemptions from state laws and sales and conveyance taxes to cover more parts of the project;
 10. requires the state to make payments in lieu of taxes to Hartford on the convention center and related parking facilities and allows the city to negotiate assessments on real property improvements for retail, commercial, and housing uses for up to 15 years;
 11. establishes an advisory committee composed of East Hartford and UTC representatives to identify, discuss, and make recommendations about the stadium's relationship with the town; and
 12. deems its passage fulfillment of PA 99-241's conditions for project financing.
- (SB 640, effective upon passage)**

Tax Reductions

This act reduces the tax on gasoline and gasohol by seven cents a gallon as of July 1, 2000. It requires dealers to pass the reduction on to consumers by lowering their prices by a comparable amount and maintaining the lower prices for 120 days. It transfers revenues from the General Fund to the Special Transportation Fund (STF) and eliminates a requirement that any annual STF balance over \$20 million in the fund be used to reduce debt service

on special obligation bonds (*effective July 1, 2000*).

The act increases, from \$50 to \$75, the cost of clothing and footwear that is exempt from sales tax and eliminates the sales tax on such items costing less than \$300 bought during the third week of August each year (*effective July 1, 2000*).

As of July 1, 2000, the act exempts from the sales tax fuel-efficient cars (for two years), child car seats, college textbooks, and items bought from vending machines that cost less than 50 cents. As of July 1, 2001, it exempts high-speed data equipment bought by telecommunications and cable television companies, burial caskets, canes, and closed-circuit television equipment for invalids and disabled people, smoking cessation products, and medically necessary support hose.

It eliminates the sales tax on Internet access service one year early, as of July 1, 2001 (*effective on passage*).

The act eliminates the 4.5% hospital gross earnings tax beginning April 1, 2000 and phases out the tax on gifts under \$1 million over six years starting January 1, 2001.

It requires multi-state manufacturers and broadcasters to use a single factor (sales) rather than three factors (sales, property, and payroll) to figure their Connecticut corporation tax. The new apportionment formula for manufacturers starts July 1, 2001 and for broadcasters on October 1, 2001.

It makes a financial institution with at least 2,000 qualified employees at a facility or facilities in a municipality with more than 100,000 people eligible for Manufacturing Assistance Act assistance and gives the institution additional tax credits if it builds a new facility and adds jobs.

The act gives tax credits to health maintenance organizations (HMOs) for providing health coverage to children

under the HUSKY Plans and to businesses for donating computers to public schools and school systems. The credits apply to income years beginning on or after January 1, 2000.

The act also lowers the admission tax on movie tickets costing more than \$5 from 10% to 6% over two years starting July 1, 2000 and exempts admissions to nightclubs and cabarets from the tax entirely.

The act requires the revenue services commissioner to waive income tax interest and penalties for taxpayers who owe additional tax for tax year 1999 because the New York commuter tax was recently declared unconstitutional. This provision applies to taxable years starting on or after January 1, 1999.

Effective July 1, 2000, the act authorizes up to \$500 million in business tax credits for investments in two types of projects. A business can qualify for up to \$100 million in credits for investing in a new facility in a designated town or in a project to clean up and redevelop a contaminated or potentially contaminated site anywhere in the state. A project must generate substantial economic benefits by itself or in conjunction with related projects. A business can invest the funds directly in a project or through a fund manager. The economic and community development commissioner grants the credits, which can last for up to 10 years. They must repay the credits if the project fails to generate the projected revenue. And towns can abate or exempt the taxes on properties receiving investments under certain conditions.

(sSB 523, effective upon passage unless otherwise noted)

***Powers And Duties Of The Treasurer
And
The Investment Advisory Council***

This act establishes additional oversight and disclosure requirements for state pension investments and places additional ethics, revolving door, and campaign donation limits on the members of the Investment Advisory Council (IAC), the treasurer, candidates for treasurer, and treasury employees and contractors.

It:

1. prohibits the state treasurer from negotiating for, seeking, or accepting a job with any party to an investment services contract valued at \$50,000 or more that she authorized, negotiated, or renegotiated for one year after her term ends;
2. prohibits the treasurer, the deputy treasurer, candidates for treasurer, and IAC members from soliciting campaign contributions from owners and employees of investment services firms that do business with the state;
3. extends the ban on such owners and employees making or soliciting contributions to or for treasurer candidates to cover all candidates;
4. prohibits the appointed members of the IAC (the 5 union and 5 public members) from making campaign contributions to, or soliciting contributions for, a candidate for treasurer;
5. subjects the IAC's appointed members to the State Ethics Code and requires all IAC members to file annual financial disclosure statements with the State Ethics Commission; and
6. increases the limit on state trust fund common stock investments from 55% to 60% but lets the percentage rise to 65% for up to six

months in the event of market fluctuations.

The act requires the treasurer, with IAC approval, to adopt a policy for investing state retirement and benefit funds (trust funds). It enhances the IAC's authority to review investments and investment services contracts and requires IAC approval for certain investments by lame-duck or acting treasurers.

It requires the treasurer, with IAC approval, to appoint a chief investment officer for the Connecticut retirement, pension, and trust funds and set his compensation. This officer replaces the assistant treasurer for investments. The act restricts the governor's power to appoint someone to fill a vacancy in the Office of Treasurer when the General Assembly is not in session. It also requires the deputy treasurer to fill out any vacancy that occurs in a year when a regular election for treasurer is scheduled.

The act requires prior disclosure of third-party fees the treasurer and quasi-public agencies pay in connection with securities investment contracts, and bars the treasurer, her agents, and employees from directing the payment of third-party fees or making personal use of credits or other valuable items given by a broker or firm in connection with trust fund investments.

The act bans anyone from paying or receiving "finder's fees," including lobbying fees, in connection with any transaction involving the state, a quasi-public agency, or a political subdivision. The ban does not apply to compensation paid to investment professionals for specified investment-related services or to licensed real-estate brokers and salespeople.

Finally, the act imposes civil penalties for violating the third-party and finder's fee provisions.

(sHB 5884, *effective on passage, except the provisions raising the limit on investments in stock and requiring the*

treasurer to invest trust funds according to the investment policy are effective January 1, 2001)

Bond Authorizations

This act increases net total bond authorizations by \$274.6 million for FY 2000-01. This includes (1) a net total of \$213.6 million in tax-supported General Obligation bonds, (2) \$21 million in special Tax Obligation bonds for the Transportation Fund, and (3) \$40 million in Bradley Airport revenue bonds. These authorizations are in addition to the bonds authorized during the 1999 legislative session for FY 01. The 1999 bond authorizations include (1) a net total of \$1.144 billion in tax-supported General Obligation bonds, (2) \$183.2 million in Special Transportation Tax Obligation bonds, and (3) \$66.9 million in Clean Water Fund revenue bonds.

General Obligation Bonds. In addition to increasing bond authorizations for state agencies and grants-in-aid to nonprofits and canceling prior bond authorizations, the act contains the following provisions.

Manufacturing Assistance Act. It authorizes \$66 million for financial assistance to Union Bank of Switzerland under terms of its agreement with the state. The assistance will be made available under the provisions in sSB 523.

Fort Trumbull Peninsula. The act authorizes \$50 million for grants-in-aid to New London for economic development and for improvements to the Fort Trumbull peninsula. It makes \$30 million available on July 1, 2000 and \$20 million on July 1, 2001.

School Construction Grants. The act authorizes an additional \$54 million for the principal portion of school construction grants-in-aid to towns in FY 01, in addition to the \$339 million provided during the 1999 session. It

cancel \$44 million of the \$61 million provided for the school construction interest subsidies that was authorized in 1999 for FY 01. The Appropriations Act, sHB 5216, appropriates \$43.632 million from the FY 00 budget surplus to fund school construction interest subsidies in FY 01.

University of Connecticut Waterbury Campus. The act authorizes \$20 million for the Waterbury campus. Of this total, \$10 million is provided with the stipulation that the Department of Higher Education approve the expansion of the campus's bachelor's and master's degree programs in business.

Connecticut State University System (CSUS). The act provides a total of \$38.5 million to CSUS in FY 01 for various projects at its four campuses. This includes \$29.7 million for Central Connecticut State University, \$4.8 million for Southern Connecticut State University, \$3.5 million for Eastern Connecticut State University, and \$0.5 million for Western Connecticut State University. It cancels a total of \$12.2 million from projects previously authorized at the four campuses.

Department of Correction (DOC). The act provides \$25 million to DOC to increase the number of inmates that can be housed at existing prison facilities.

Landfill closure. The act increases from \$5 million to \$15 million the amount available in FY 01 for improvements in incinerators and the closure of landfills, including bulky waste landfills.

Residential underground storage tanks. The act increases from \$2 million to \$4 million the amount available in FY 01 for grants for remediation of contamination attributable to residential underground petroleum storage tanks.

Transportation Fund. The act increases Special Tax Obligation bonds authorized for highway and bridge improvements by \$21 million. This

amount is in addition to the \$183.2 million authorized in FY 01 for various transportation purposes during the 1999 session. It also authorizes \$40 million in revenue bonds for Bradley International Airport.

(sSB 140, effective July 1, 2000)

GENERAL LAW COMMITTEE

Telephone Solicitations



This act prohibits telephone solicitors from making, or causing to be made, unsolicited telephone sales calls to

consumers who have registered their wish not to receive them with a state "no sales solicitation calls" list, with certain exceptions. It authorizes the Department of Consumer Protection (DCP) to operate the list or to contract with an organization that has maintained a national list for at least two years to do so. The contract must require the vendor to provide the list in printed or other format at a cost that is no more than the cost to produce it.

It prohibits telephone solicitors from calling between 8:00 a.m. and 9:00 p.m. Federal law already prohibits calls from 9:00 p.m. to 8:00 a.m. the next morning. And it prohibits them from (1) sending electronically transmitted facsimiles and (2) intentionally using a blocking device or service to circumvent a consumer's use of Caller ID.

The act requires list marketers to delete from their marketing lists and underlying databases the names, addresses, and telephone numbers of consumers whose names are on the state list. This requirement applies whether or not the names were obtained from published telephone directories or from other sources. The act exempts both telephone companies that publish telephone directories and anyone publishing telephone directories under an agreement

with a telephone company from this requirement.

It makes a violation of its provisions an unfair or deceptive trade practice and establishes a defense for telemarketers that take prescribed steps to implement the act.

Finally, it authorizes the DCP commissioner to adopt implementing regulations and requires DCP to study regulation of automatic dialing devices.

(sSB 365, effective January 1, 2001, except the study provision is effective October 1, 2000)

Motor Vehicle Leases

This act makes unenforceable any retail motor vehicle lease provision that attempts to exclude or modify an implied warranty of merchantability or fitness, or a remedy for breach of such warranties. In addition, it delays by one year, to July 1, 2001, implementation of the 1999 law requiring motor vehicle lessors to disclose the lease amount financed, the lease finance charge, and the lease rate and that they use a specified formula to disclose the lease rate to consumers. Finally, it requires these lessors to make the disclosures required by the federal Consumer Credit Protection Act and Regulation M before the consumer signs the lease, regardless of whether the lease is subject to that act.

(HB 5852, effective October 1, 2000, except the delay in implementing the provisions of PA 99-278 is effective upon passage)

Gasoline Franchises

This act establishes conditions that apply when a gasoline franchisor intends to sell, transfer, or assign its interest in (1) a single gasoline station (i.e., "marketing premises" or (2) two or more stations as a package. It also establishes conditions

applying to the sale, transfer or assignment of a gasoline station by a successor owner.

The act defines “marketing premises” as the premises that, under the franchise agreement, the franchisee uses to sell, consign, or distribute motor fuel.

The act applies to franchise agreements in effect on and after July 1, 2000.

(sHB 5594, effective July 1, 2000)

GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE

Comprehensive Campaign Finance Reform



This act establishes a two-step system of public financing for election campaigns. The first part sets up a voluntary spending limit program for the general election that grants state funding only after (1) a participating candidate’s opponent exceeds the spending limit or (2) a participating candidate is the target of an independent expenditure. To participate in the program, a candidate must agree to the spending limits and must have received a threshold level of contributions and receipts.

The act makes this program available to state office candidates for the 2002 election only and to legislative candidates for the 2004 election and thereafter. It creates the following spending limits for participating candidates: (1) governor and lieutenant governor, \$6 million; (2) other state offices, \$750,000; (3) state senator, \$130,000; and (4) state representative, \$50,000.

Under the second program, beginning with the 2006 state election, major and minor party candidates for state offices who receive qualifying contributions and

agree to limit their spending and comply with other program requirements are eligible to receive state grants for their campaigns. The limits apply and the grants are available after a political party’s nominating convention for a primary, if there is one, and during the general election campaign. The spending limit for gubernatorial candidates is \$6 million for the general election, with additional spending permitted if there is a primary. Participating state office candidates can spend up to \$750,000 for a general election campaign.

The act creates a Citizens’ Election Fund to fund the programs. The fund’s sources fund are (1) income and corporate tax checkoffs and add-ons, (2) voluntary contributions, (3) donations of candidate or certain political committee (PAC) surpluses, (4) penalties and late fees for election law violations, and (5) its investment earnings.

The act includes the public finance programs’ administrative procedures including those for distributing money from the fund when there is a shortfall and enforcement and penalty provisions.

The act also:

1. reduces certain contribution limits;
2. expands campaign finance reporting requirements for candidates and those who make independent expenditures for purposes of program implementation;
3. lowers the threshold and expands the mandatory electronic filing requirement for campaign finance statements;
4. bans campaign contributions to certain candidates from those who are associated with businesses that have state contracts worth over \$250,000;
5. prohibits a state contract award for a year to an individual or business whose PAC has made a campaign contribution to certain elected

officials;

6. extends the State Elections Enforcement Commission's authority to include personal jurisdiction over a nonresident, or his agent, who contributes to any candidate, party committee, or PAC; and
7. establishes a commission to study public financing of elections and Connecticut's nominating process.

(sHB 5102, effective July 1, 2000 for the campaign finance provisions; the electronic filing and access provisions are effective January 1, 2001; and the Blue Ribbon Commission section is effective upon passage. The tax provisions apply to tax years beginning January 1, 2000. The voluntary spending limits program begins for state office candidates with the 2002 election and for legislative candidates with 2004. The Citizens' Election Fund program begins with the 2006 state election cycle.)

HOUSING COMMITTEE

Affordable Housing Appeals Procedure



This act makes many changes to the affordable housing land use appeals procedure, which requires towns to prove certain facts in court when a developer challenges their decision to reject a proposed affordable housing development.

The act changes one of the factors the Department of Economic and Community Development (DECD) must use when it annually identifies the towns where the procedure can be used. It requires DECD to compute a town's share of affordable units based on its housing stock as of the last U.S. census instead of its current stock.

It increases the percent of units developers must agree to make affordable in order to use the procedure and lengthens from 30 to 40 years the time

during which they must remain affordable. It also imposes new conditions limiting the amount of rent that developers can charge for the affordable units.

It gives local land use commissions more tools to assess proposed affordable housing developments. These include requiring developers to submit plans showing how they intend to make units affordable and conceptual site plans if their proposed development requires a zone change. The act changes several procedural requirements for acting on an application after a developer modifies and resubmits it to the commission that initially acted on it.

The act specifies that towns must prove to a court that there is sufficient evidence in the record to support the statutory reasons for rejecting a proposed project: the decision was necessary to protect public interests, those interests outweighed the need for affordable housing, and the proposed development could not be changed in a way that did not harm those interests.

It allows towns to obtain a three-year moratorium on affordable housing appeals each time the total number of certain types of housing units equals 2% of the housing stock as of the last census or 75 unit-equivalent points, whichever is greater. The act defines the units that count toward a moratorium and assigns points to them. Under prior law, towns could obtain a one-time, one-year moratorium under narrower conditions. DECD must adopt regulations specifying the process for obtaining a moratorium.

The act allows towns to adopt ordinances providing property tax credits to residential owners who agree to sell or rent their property only to low- and moderate-income people at prices they can afford. The owners must impose deeds restricting the sale or rental of the property to these groups for 40 years.

These units count toward a moratorium and an exemption from the procedure.

(sHB 5107, effective October 1, 2000)

HUMAN SERVICES COMMITTEE

Work Incentives For Persons With Disabilities



This act requires the Department of Social Services (DSS) to amend the state Medicaid plan to establish a “working persons with disabilities” or Medicaid “buy-in” program for people who meet a federal disability definition and are regularly employed. Individuals must contribute towards their care once their income reaches 200% of the federal poverty level (FPL) (currently \$1,392 per month for one person) and can accrue substantial assets without losing eligibility. The act requires the DSS commissioner to seek a Medicaid waiver to permit people participating in the new program to continue to receive Medicaid if they involuntarily stop working.

The act requires the DSS commissioner to amend the federal Personal Care Assistance (PCA) waiver to enable people qualifying for the buy-in program to keep their PCA benefits even though their incomes exceed the waiver’s limits. (Personal Care Assistants help people with activities of daily living.) It provides for people currently in the state-funded PCA working person’s program and the community-based services (CBS) program to transition into the PCA waiver. It permits people who are receiving CBS on July 1, 2000 to temporarily keep these benefits if they participate in the buy-in program. It also codifies the CBS program, which formerly existed only in regulation.

The act also requires the DSS commissioner to cooperate with the Social

Security Administration on demonstration projects which provide additional work incentives for people eligible for Social Security Disability Insurance or Supplemental Security Income, as allowed under federal law.

The act requires DSS to submit an interim report to the Human Services and Appropriations committees by July 1, 2001 and a final report by July 1, 2003.

(HB 5778, effective October 1, 2000)

INSURANCE AND REAL ESTATE COMMITTEE

Reporting Insurance Fraud



This act establishes in some cases and expands in others reporting requirements for the public safety commissioner, the workers’ compensation fraud unit, and insurance companies about actual or suspected insurance fraud pertaining to arson, workers’ compensation, and automobile insurance claims. It requires the insurance commissioner annually to report insurance fraud information to the General Assembly and broadens the definition of insurance fraud to include most major lines of insurance.

The act adds a notice and evidence requirement for people, including insurers, who have actual or suspected knowledge of health insurance fraud.

Finally, it broadens the definition of insurance company to include any corporation, association, partnership or combination, except a fraternal benefit society, doing any kind or form of insurance business.

(sHB 5692, effective October 1, 2000)

JUDICIARY COMMITTEE

Reforming The Sheriffs System



Constitutional Amendment.

This resolution proposes a constitutional amendment to eliminate sheriffs as constitutional officers. It would eliminate provisions governing sheriffs' bonding, removal from office, filling vacancies, and delivering notice for a special session on redistricting. The ballot designation to be used when the amendment is presented at the general election is: "Shall the Constitution of the State be amended to eliminate county sheriffs?"

(SJ 15, effective if a majority of voters in the November general election approve the amendment)

Statutory Changes. This act transfers (1) responsibility for transporting prisoners to courthouses, custody of prisoners at courthouses, and courthouse security from the county sheriffs to the Judicial Department and (2) service of process functions to state marshals. The transfer takes effect on December 1, 2000 but only if voters approve a constitutional amendment eliminating the sheriffs' position.

It requires the Judicial Department to employ judicial marshals for prisoner transport and custody and courthouse security. All deputy sheriffs and special deputy sheriffs serving as prisoner custody or transportation or court security personnel can continue their service as Judicial Department employees. The Judicial Department must recognize the bargaining unit of special deputy sheriffs for collective bargaining with the judicial marshals. And it can form agreements with state agencies on the management, training, and coordination for courthouse security and prisoner custody and transportation.

The act creates the position of state marshal and authorizes them to provide legal execution and service of process. State marshals are qualified deputy sheriffs who are serving on June 30, 2000. The act allows the same number of state marshals in each county as current law allows deputy sheriffs. It makes the state marshals independent contractors who are compensated on a fee-for-service basis. The fee is determined by agreements with attorneys, courts, or public agencies requiring execution or service of process, but is subject to any minimum rate set by the state. State marshals must meet the same bonding and personal liability insurance requirements as sheriffs and deputy sheriffs had to meet. For two years the act bans appointment to the position of state marshal of anyone who has given anything of value for political purposes to those who name the members of the State Marshal Commission, which the act creates.

The act gives state marshals the same powers as deputy sheriffs, including service of process, execution, and tax collection. It eliminates most statutory references to sheriffs, deputy sheriffs, and special deputy sheriffs but does not transfer all of their functions to the new officers. The act makes judicial marshals performing their duties and state marshals exercising their statutory authority "peace officers." This gives them certain arrest powers.

The act increases the membership of the Sheriffs Advisory Board from five to seven. It requires the board, which administers the prisoner transportation and courthouse security system, to cooperate with and ensure that the sheriffs, deputies, special deputies, and staff cooperate with the Judicial Department for the transition of functions. It requires the board to approve an appointment or removal of a deputy sheriff or special deputy sheriff. It prohibits a

sheriff from appointing or removing a deputy or special deputy sheriff after December 1, 2000. The board is eliminated on December 1, 2000.

The act creates a State Marshal Commission as an autonomous body in the Judicial Department. The commission consists of eight appointed members and two non-voting representatives of the state marshals. It fills vacancies in state marshal positions and can adopt rules for the application and investigation process for state marshals. The commission can remove a state marshal, but only for cause. The act also creates a State Marshals Advisory Board consisting of 24 state marshals to make recommendations to the commission.

The act prohibits a sheriff from directly or indirectly soliciting campaign contributions from certain individuals.

(sHB 5832, effective December 1, 2000 but certain provision are effective on passage and all of the act's provisions are ineffective if voters do not approve the constitutional amendment eliminating county sheriffs)

(SB 472 amends several provisions of this act.)

Unmarried Partner Adoptions

This act allows someone who shares parental responsibility for a child with the child's parent to adopt or join in the adoption of the child even though the two adults are not married. Like most adoptions, the probate court must find it to be in the child's best interest, and the adoption must follow the normal procedures, including an agency home study.

The act makes a series of findings concerning the best interests of a child and the state's public policy on marriage. It makes the required agency report concerning the proposed adoption

consider if the child's best interests are served in accordance with these findings.

It also states that its provisions must not be construed to endorse any public policy regarding marriage, civil union, or other relationship between unmarried people other than their rights and responsibilities for the adopted child.

This act responds to the Connecticut Supreme Court's decision in *In Re the Adoption of Baby Z* (247 Conn. 474 (1999)) that under state law unmarried couples, regardless of their sexual orientation, could not adopt jointly.

(sHB 5830, effective October 1, 2000)

Bigotry and Bias Crimes

This act creates the crimes of intimidation based on bigotry or bias in the first and third degree and makes the crime of intimidation based on bigotry or bias a second-degree crime.

It creates a hate crimes diversion program under the accelerated rehabilitation program and allows the court to require people charged with certain bias crimes to participate in it. And it allows the court, as a condition of probation or conditional discharge, to require an offender to participate in an anti-bias crime education program if he is convicted of the act's bigotry and bias crimes and certain other bias crimes.

The act requires that basic or review training programs conducted or administered by the State Police, Police Officer Standards and Training Council, or municipal police departments include training on bigotry and bias crimes. And it creates a Hate Crimes Advisory Committee in the Office of the Chief State's Attorney.

(sHB 5710, effective July 1, 2001, except that provisions establishing first, second, and third degree bigotry and bias crimes and certain conforming changes are effective October 1, 2000)

Sexual Assault Crimes

This act increases, in many cases by 15 years, the time period within which a person identified by DNA analysis may be charged with the six most serious sexual assault crimes, provided that the victim notified the police or a prosecutor of the offense within five years of its commission. The act applies to first-degree sexual assault, aggravated first-degree sexual assault, sexual assault in a spousal or cohabiting relationship, second-degree sexual assault, and third-degree sexual assault, with and without a firearm.

The act also removes a three-year limit on how long a person has to request a new trial in a civil or criminal matter when the request is based on DNA evidence. It allows such a request anytime if it is based on evidence that was not discoverable or available at the time of the original trial.

(PA 00-80, effective upon passage and applicable to offenses committed anytime, including prior to its passage)

LABOR AND PUBLIC EMPLOYEES COMMITTEE

Minimum Wage Increase



This act increases the minimum wage by 55¢ over a two-year period. It increases it from \$6.15 to \$6.40 an hour beginning January 1, 2001 and to \$6.70 beginning January 1, 2002.

By law, employers of tipped employees receive a 23% credit against the minimum wage for these employees. As a result of the credit, they currently pay tipped employees \$4.74 per hour. The act freezes the hourly amount employers must pay tipped employees at \$4.74 until January 1, 2003, at which time they must pay

\$5.16 per hour (\$6.70 minus 23%). It requires employers to pay bartenders who regularly receive tips \$6.15 per hour until January 1, 2003, when they must receive \$6.70.

Finally, the act allows 15-year olds to work in retail food stores on any Saturday during the year. Prior law barred them from doing so unless school was not in session for at least five consecutive days. The act applies current daily and weekly hour restrictions to these 15-year olds.

(sHB 5160, effective October 1, 2000)

PLANNING AND DEVELOPMENT COMMITTEE

Martin Luther King Day Observance



This act requires all towns to include a provision in each collective bargaining agreement executed after the act's effective date that closes the town's nonessential town offices on Martin Luther King Day.

The act requires towns that did not close all nonessential offices in observance of Martin Luther King Day on January 17, 2000 to close them on the holiday in the future. These towns must reopen all collective bargaining agreements exclusively to negotiate compensation or benefits exchange, if any, for Martin Luther King Day. They must observe the holiday on the same date that the state observes it.

It establishes a mediation and a binding arbitration process that towns and their unions must use if they fail to agree on the compensation and benefits issue by specified dates.

(sSB 311, effective upon passage)

PUBLIC HEALTH COMMITTEE

UConn Health Center Oversight and Statewide Hospital Study



This act establishes a committee of 12 legislators who must review, monitor, and make recommendations on UConn Health Center activities. The committee must report to the General Assembly and governor by January 1, 2002. The act also (1) directs the state auditors to contract for an independent performance audit of the health center; (2) requires UConn's Board of Trustees to prepare quarterly reports on the health center's finances, restructuring, and operations and provide those reports to the review committee; and (3) appropriates \$20 million to the health center.

The act also creates a 19-member Commission on the Future of Health Care in Connecticut led by of the Public Health Committee chairpersons. It must address a number of issues concerning the state's hospitals including finances, regulatory costs, statewide and regional access to and delivery of care, adequacy of federal funding, the impact of managed care, graduate medical education, restructuring, collaboration and cooperation among facilities, and technology. The commission must submit a final report to the Public Health Committee by January 1, 2002.

(sSB 437, effective upon passage)

Emergency Medical Services

This act makes a number of changes in the state's emergency medical services (EMS) system including:

1. requiring licensed and certified ambulance services and other EMS-related entities to submit specific data to the Department of Public

Health (DPH) on a quarterly basis, requiring DPH to prepare an annual report based on it, and allowing DPH to penalize those not submitting the data;

2. requiring each public safety answering point (PSAP) to submit information quarterly to the Office of State-Wide Emergency Telecommunications on EMS calls received and requiring the office to provide DPH with this information annually;
3. requiring each PSAP, by July 1, 2004, to provide emergency medical dispatch (EMD) or arrange for its provision by a public or private safety agency or regional telecommunications center, for 9-1-1 calls the PSAP receives that require EMS;
4. requiring the office to provide or approve an EMD training course and to assist PSAPs or centers with EMD training;
5. providing funding through the enhanced emergency 9-1-1 program funding mechanism for DPH data collection and certain EMD costs;
6. requiring (a) DPH to develop EMS system outcome measures, (b) each municipality to establish a local EMS plan, and (c) the Office of Emergency Medical Services to develop model local EMS plans;
7. allowing any municipality to petition the DPH commissioner to remove a primary service responder not meeting certain performance standards and requiring DPH to develop a primary service assignment pilot program; and
8. requiring DPH to adopt regulations addressing procedures and conditions for filing rate increase requests and to study an expedited approval or waiver process for

additional EMS vehicles and locations.
(**sHB 5287**, effective July 1, 2000)

PUBLIC SAFETY COMMITTEE

Racial Disparities



This act creates a 21-member Commission on Racial and Ethnic Disparity in the criminal justice system. Among other things, the commission must recommend policies to reduce the number of African-Americans and Latinos in correctional populations and victimized by crime; prepare plans to reduce racial and ethnic disparity in the system and report to the legislature on resources needed to reduce the disparity; recommend strategies to reduce the number of African-Americans and Latinos in the juvenile justice system; and develop a curriculum to train juvenile justice system employees on cultural competency issues and strategies to address disproportionate minority confinement.

(**sSB 462**, effective October 1, 2000)

MPA 5/00